



CALIFORNIA
STATE LIBRARY
FOUNDED 1850

Legislation Related to the Siting of Residential Care Homes (1997-2008)

YEAR	STATUS	BILL	DESCRIPTION
1997	Chapter 96	SCR 27 (Kopp)	Establishes a task force comprised of local government and social service representatives to address community concerns resulting from an increase of residential care and treatment facilities and make recommendations.
1997	Chapter 561	AB 323 (Baca)	Creates pilot in San Bernardino County to encourage group homes to work with neighborhood residents to resolve issues and reduce complaints. CDSS expanded pilot to Shasta County (SCR 27 Task Force recommendation).
1997	Died in Assembly	AB 631 (Morrow)	Requires that person released on probation participate in a licensed facility if required to go through alcohol and drug abuse rehabilitation program (SCR 27 Task Force recommendation).
1997	Died in Assembly	AB 756 (Kuykendall)	Extends the overconcentration requirement to 1000 feet.
1997	Died in Assembly	AB 1288 (Wood)	Requires prior local government approval for group homes housing residents convicted of a serious or violent felony or a residential burglary.
1997	Amended out in Senate	SB 139 (Kopp)	Extends the 300-foot overconcentration requirement to alcohol and drug facilities.
1998	Chapter 898	AB 1068 (Campbell)	Requires criminal background check for previously exempt social rehabilitation facilities; extends background check for intermediate care facilities/ developmentally disabled to direct care staff and others.

YEAR	STATUS	BILL	DESCRIPTION
1998	Chapter 311	SB 933 Group Home Reform Bill (Thompson)	Provides a comprehensive series of group home reforms including several changes to improve management and staff training, and accountability and oversight requirements. Examples: requires that group homes first be issued a temporary provisional license that can be suspended if the facility is not in compliance; clarifies that group home have specific community representatives (like neighbors) on existing boards of directors or advisory board; requires a “Good Neighbor” handbook; and expedites the fingerprint process. (SCR 27 Task Force recommendations were included.)
1998	Vetoed [Fiscal issues]	SB 1540 (Karnette)	Requires a plan for establishing and maintaining a statewide computerized data base for all community care facilities and alcoholism and drug abuse treatment and recovery facilities; and a plan for identifying and regulating existing unlicensed residential programs. (SCR 27 Task Force recommendation).
1998	Died in Senate	SB 1971 (Watson)	Requires that an assessment be developed of the residential needs of persons who live in licensed residential facilities and persons who live in other living arrangements in which services are provided. Requires that a statewide database be established and maintained. (SCR 27 Task Force recommendations)
1999	Amended out in Assembly	AB 373 (Baugh/ Pacheco)	[Original language extends separation requirement from 300 to 1,000 feet.]
1999	Never heard in Assembly	AB 533 (Nakano)	Clarifies that facility operator cannot claim “six or fewer” status if operating two or more facilities located within 1,000 feet of each other.
1999	Died in Assembly	AB 997 (Campbell)	Prohibits additional licenses to providers who have not operated their facilities well in existing communities; adds language that strengthens role of group home community advisory body.
1999	Died in Assembly	AB 1025 (Havice)	Adds language that strengthens role of group home community advisory body (SCR 27 Task Force recommendation).
1999	Died in Senate	SB 268 (Rainey)	Requires that residential facilities for the elderly be counted for purposes of the 300-foot separation requirement.
1999	Vetoed [Fiscal issues]	SB 986 (Karnette)	Requires sober living facilities that offer services and programs to be state licensed (SCR 27 Task Force recommendation).
1999	Died in Assembly	SB 987 (Karnette,)	Requires that the Department of Alcohol and Drug Programs license and regulate alcohol and drug facilities (SCR 27 Task Force recommendation and follow-up to SB 1540).

YEAR	STATUS	BILL	DESCRIPTION
2000	Died in Senate	AB 2641 (Calderon)	Permits a city or county to submit information to the Director of the Department of Social Services regarding the proposed location of residential care facilities with six or fewer residents, and allows the Director to suggest the applicant find an alternate location for the facility.
2002	Vetoed [Fiscal & workload issues]	AB 2175 (Daucher)	Requires Governor's Office of Planning and Research to develop and adopt guidelines for addressing human services matters (including assessment of residents in care facilities) within the local government's general plan to improve quality of life for targeted members and community (SCR 27 Task Force recommendation).
2004	Died in Assembly	AB 2548 (Horton)	Requires public notice and a public forum when a new residential care or drug and alcohol residential facility is proposed in a city or county.
2004	Chapter 120	SB 383 (Oller)	Makes technical changes to specify that the local planning agency receive notice prior to approval of any application for a new residential care facility.
2006	Died in Assembly	AB 1408 (Horton)	Revises the definition of overconcentration" from 300 feet or less for another residential care facility to 1,000 feet or less for new facilities. (Legislation similar to AB 373/1999.)
2006	Vetoed	AB 1795 (Bermudez)	Requires that the state or county licensing authority notify a city or county planning agency of an application for a new residential care facility by certified mail.
2006	Chapter 746	AB 2184 (Bogh)	Provides that the state statute governing zoning and conditional use permits for residential care facilities for six or fewer persons shall not be interpreted to prohibit a local public entity from enforcing a local ordinance.
2006	Died in Assembly	AB 3005 (Emmerson)	Permits a city or county to submit information to the Director of the Department of Social Services regarding the proposed location of residential care facilities with six or fewer residents, and allows the Director to suggest the applicant find an alternate location for the facility. (Legislation similar to the introduced version of AB 2641/2000.)
2006	Died in Assembly	AB 3007 (Emmerson)	Prohibits the Department of Alcohol Drug Programs from licensing a facility if another facility was located within 300 feet.

YEAR	STATUS	BILL	DESCRIPTION
2006	Died on File in Assembly	SB 1322 (Cedillo)	Requires cities and counties include in the housing element of their general plan an analysis of the need for emergency shelters and accommodate the need for shelters on sites that are zoned to allow their use; also requires local governments to designate zones where special needs facilities and transitional housing are a permitted use.
2008	Died in Assembly	AB 411 (Emmerson)	Permits a city or county to submit information to the Director of the Department of Social Services regarding the proposed location of residential care facilities with six or fewer residents, and allows the Director to suggest the applicant find an alternate location for the facility. (Legislation same as AB 3005/2006.)
2008	Died in Senate	AB 724 (Karnette)	Defines a sober living home as a residential property which is operated as a cooperative living arrangement to provide an alcohol and drug free environment for persons recovering from alcoholism or drug abuse, or both, who seek a living environment in which to remain clean and sober, and which meets other specified requirements.
2008	Died in Assembly	AB 1875 (Huff)	Revises the definition of overconcentration" from 300 feet or less for another residential care facility to 1,000 feet or less for new facilities, and requires that the state or county licensing authority notify a city or county planning agency of an application for a new residential care facility by certified mail. (Legislation same as AB 1408/2006 and AB 1795/2006.)
2008	Never heard in Assembly	AB 2978 (Soto)	Includes residential care facilities for the chronically ill and residential care facilities for the elderly in the definition of residential care facilities for purposes of determining overconcentration.
2008	Died in Senate	SB 530 (Dutton)	Prohibits the Department of Alcohol and Drug Programs from licensing a treatment facility if another facility was located within 300 feet. (Legislation same as AB 3007/2006.)
2008	Died in Senate	SB 709 (Dutton)	Permits a city or county to submit information to the Director of the Department of Social Services regarding the proposed location of residential care facilities with six or fewer residents, and allows the Director to suggest the applicant find an alternate location for the facility. (Legislation same as AB 3005/2006.)
2008	Died in Senate	SB 915 (Hollingsworth)	Authorizes a city, county, or city and county, to adopt a local ordinance to zone as an adult oriented business, any community care facility that houses a parolee for whom registration as a sex offender is required.

YEAR	STATUS	BILL	DESCRIPTION
2008	Vetoed	SB 992 (Wiggins)	Requires the Department of Alcohol and Drug Programs to license “adult recovery maintenance facilities,” which provide a more structured environment for recovery from substance abuse than a sober living home.
2008	Died in Senate	SB 1000 (Harmon)	Requires applicants seeking a license for a recovery or treatment facility from the Department of Alcohol and Drug Programs to certify that the facility is consistent with local zoning ordinances and requires the Department to verify the certification.

The California Research Bureau (CRB) provides non-partisan policy analysis and research information to the Legislature, the Governor, and other state elected officials. This Table, now updated, originally appeared as Appendix D in the CRB report, *Residential Care Facilities in the Neighborhood: Federal, State, and Local Requirements*, 2002, by L. Foster. This report, and other CRB reports, is available online at <http://www.library.ca.gov/crb/CRBSearch.aspx>.

For questions, please contact Lisa Foster, Senior Policy Analyst, at (916) 653-6372 or lfoster@library.ca.gov.